IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 33752 of 2007(R)

OS.361/1983 OF ADDL.SUB COURT, THALASSERY.
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PETITIONER/ JUDGMENT DEBTOR:

VRINDA A.M., W/O. PRAKASH,
PRAKASH BUNGALOW, CHIRAKKARA, THALASSERY-1.

BY ADV. SRI.K.MOHANAKANNAN,
SMT.A.R.PRAVITHA.

RESPONDENT/ DECREE HOLDER:

THE KERALA STATE COIR CORPORATION LTD.,
P.B.NO.191, ALAPPUZHA.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.33752 OF 2007

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Dated this the 15th day of November 2007

JUDGMENT

This writ petition is filed seeking to quash Ext.P13. It is a petition filed under Order 21 Rule 26 C.P.C. requesting to stay the execution proceedings. A perusal of document would reveal that this court had passed an order as early as on 25.7.2007 whereby the court directed to pay Rs.68,000/- and if there is appropriate reasons thereafter it can give a breathing time so that the benefit, if any, the petitioner is entitled to from the Government, he can receive. There was some clarificatory order thereafter and now an application is filed in a decree of 1983 to reduce the rate of interest from 18% to 6% after a period of 24 years. It is crystal clear that what is the intention of the petitioner. It is only to protract and prolong the proceedings. Sufficient indulgence had been shown and if the petitioner is not in a position to negotiate the matter with the Government, the court cannot do anything and the execution of the decree has to be proceeded with. Learned counsel for the petitioner prays for some more time to pay the amount. I am not inclined to grant the same. Therefore the writ

petition lacks merit and it is dismissed.

M.N.KRISHNAN, JUDGE

Cdp/-